

Attorney Docket: 008895-0316415
Client Reference: WIT/P56650US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF:
Franciscus Cornelius DINGS, et al.

Confirmation Number: 3724

Application No.: **10/538,652**

Group Art Unit: 4132

Filed: October 31, 2005

Examiner: NUCKOLS, Tiffany Z.

Title: METHOD AND APPARATUS FOR TREATING A SUBSTRATE

REPLY TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated October 20, 2008, the period for reply being November 20, 2008, Applicants hereby elects the invention of Group I, claims 1-15 and 31, drawn to a method for treating a substrate. This election is made with traverse.

In the Restriction Requirement, the Examiner alleges that Groups I, II and III are not related to a single general inventive concept under PCT Rule 13.1 because U.S. Patent Application No. 2003/0049468 to Hu *et al.* ("Hu") allegedly anticipates the claimed apparatus of Group II. Applicant respectfully disagrees.

The Examiner states that Hu teaches, among other things, that the substrate is situated below a plasma source and advantageously placed to move in respect to the plasmas source. However, the claims do not merely recite that the substrate is

configured to move with respect to the plasma source. Rather, claim 16 of Group II, for example, recites "***during use ... the plasma source and/or a fluid supply source is moveably arranged.***" (emphasis added). Hu does not teach this feature of Groups I-III.

Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Date: November 20, 2008

Respectfully submitted,

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